

TO:	Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	SOLICITOR AUG 21 2007 U.S. PATENT & TRADEMARK OFFICE	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court 15 Henry Street, Binghamton, on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. 5:07-CV-833	DATE FILED 8/16/2007	U.S. DISTRICT COURT 15 Henry Street, Binghamton, NY 13901
PLAINTIFF Pass & Seymour, Inc.		DEFENDANT General Protecht Group, Inc., et al
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 see copy of complaint		
2 4,831,496		
3 5,594,398		
4 6,952,150		
5 7,068,481		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY	
	<input type="checkbox"/> Amendment	<input type="checkbox"/> Answer
	<input type="checkbox"/> Cross Bill	<input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 Re.38,293		
2 7,154,718		
3 7,164,564		
4 7,212,386		
5 7,256,973		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

representatives and all parties in active concert and/or participation with them from further infringement of U.S. Patent Nos. 5,594,398, 6,952,150, 7,068,481, RE38,293, 7,154,718, 7,164,564, 7,212,386, and 7,256,973;

(D) Award P&S all of its damages caused by Defendants' acts of infringement, including any lost profits, together with interest and costs pursuant to 35 U.S.C. § 284;

(E) Enter judgment that Defendants' infringement have been willful, and increase the damages to three times the amount found or assessed pursuant to 35 U.S.C. § 284;

(F) Enter judgment determining that this is an exceptional case and award P&S its attorneys' fees in this action pursuant to 35 U.S.C. § 285; and

(G) Award P&S such other and further relief as the Court may deem just and proper.

JURY DEMAND

P&S hereby requests trial by jury of all issues so triable.

Dated: August 16, 2007

Respectfully submitted,

BOND, SCHOENECK & KING, PLLC

s/George R. McGuire

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Attorneys for Plaintiff

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

PASS & SEYMOUR, INC.

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Onondaga
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Edward R. Conan, George R. McGuire, David L. Nocilly
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One Lincoln Center
Syracuse, New York 13202-1355
Telephone: (315) 218-8000

DEFENDANTS

GENERAL PROTECHT GROUP, INC., GENERAL PROTECHT GROUP U.S., INC., SHANGHAI ELE MANUFACTURING CORP., SHANGHAI MEIHAO ELECTRIC, INC., WENZHOU TRIMONE COMPANY, ORBIT INDUSTRIES, INC., THE DESIGNER'S EDGE, INGRAM PRODUCTS, INC., AND QUALITY DISTRIBUTING LLC

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

II. BASIS OF JURISDICTION

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT

(PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury — Med. Malpractice <input type="checkbox"/> 365 Personal Injury — Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS — Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 990 Other Statutory Actions

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify) _____
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

US Civil Statute: Patent Act, 35 U.S.C. 271 et seq.
Brief Description: Patent infringement

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 ☐

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ YES ☐ NO

VIII. RELATED CASE(S) IF ANY

None

JUDGE

DOCKET NUMBER

DATE

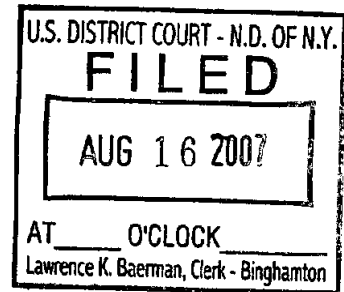
August 16, 2007

SIGNATURE OF ATTORNEY OF RECORD

(David L. Nocilly 510759)

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PASS & SEYMOUR, INC.,

Plaintiff,

v.

Civil Action No.

5:07CV833

GENERAL PROTECHT GROUP, INC.,
GENERAL PROTECHT GROUP U.S., INC.,
SHANGHAI ELE MANUFACTURING CORP.,
SHANGHAI MEIHAO ELECTRIC, INC.,
WENZHOU TRIMONE COMPANY, ORBIT
INDUSTRIES, INC., THE DESIGNER'S EDGE,
INGRAM PRODUCTS, INC., AND QUALITY
DISTRIBUTING LLC,

**COMPLAINT
(WITH DEMAND FOR JURY TRIAL)**

Defendants.

Plaintiff Pass & Seymour, Inc. ("P&S") by and through its attorneys, alleges for its Complaint against defendants General Protecht Group, Inc., General Protecht Group U.S., Inc., Shanghai ELE Manufacturing Corporation, Shanghai Meihao Electric, Inc., Wenzhou Trimone Company, Orbit Industries, Inc., The Designer's Edge, Ingram Products, Inc., and Quality Distributing LLC ("Defendants") as follows:

INTRODUCTION

1. This is an action for damages and for declaratory and injunctive relief to remedy Defendants' infringement of patents assigned to and owned by P&S ("the P&S patents"). The P&S patents relate generally to protective devices, such as ground fault circuit interrupters, which are designed to prevent electrocution during the use of electrical receptacles.

PARTIES

2. P&S is a corporation organized and existing under the laws of the State of New York, having its principal place of business at 50 Boyd Avenue, Syracuse, New York 13209. Since its founding over 100 hundred years ago on the banks of the Erie Canal in Syracuse, New York, P&S has improved and expanded its line of products. Today, P&S is one of the world's largest manufacturers of low voltage electrical devices.

3. Defendant General Protecht Group, Inc. (f/k/a Zhejiang Dongzheng Electrical Company) is a corporation organized under the laws of the Country of China, having its principal place of business at 555 Daxing Rd W Liushi Yueqing, Zhejiang 325600 China. Upon information and belief, General Protecht Group, Inc. purposely directs ground fault circuit interrupters into the United States through intermediaries and/or established distribution channels for sale or resale throughout the United States, including in the Northern District of New York.

4. Defendant General Protecht Group U.S., Inc. is a corporation organized under the laws of the State of Georgia, having its principal place of business at 3432 Piedmont Road, Suite 522, Atlanta, Georgia 30305. Upon information and belief, General Protecht Group U.S., Inc. imports, distributes, offers to sell, and/or sells ground fault circuit interrupters throughout the United States and the Northern District of New York, including ground fault

circuit interrupters that were manufactured by General Protecht Group, Inc. and/or Zhejiang Dongzheng Electrical Company (collectively "General Protecht").

5. Defendant Shanghai ELE Manufacturing Corporation ("Shanghai ELE") is a corporation organized under the laws of the Country of China, having its principal place of business at Sec 2 Xingcheng Industrial Zone Qingpu 201703 Shanghai, China. Upon information and belief, Shanghai ELE purposely directs ground fault circuit interrupters into the United States, including the Northern District of New York, for sale or resale through intermediaries and/or established distribution channels.

6. Defendant Shanghai Meihao Electric Inc. ("Shanghai Meihao") is a corporation organized under the laws of the Country of China, having its principal place of business at 58 Shane Rd Jiangqiao Town Jiading Borough 201803 Shanghai, China. Upon information and belief, Shanghai Meihao purposely directs ground fault circuit interrupters into the United States, including the Northern District of New York, for sale or resale through intermediaries and/or established distribution channels.

7. Defendant Wenzhou Trimone Company ("Wenzhou Trimone") is a corporation organized under the laws of the Country of China, having its principal place of business at Zhiguang Industrial Zone, Liushi Town Yueqing, Zhejiang 325604 China. Upon information and belief, Wenzhou Trimone purposely directs ground fault circuit interrupters into the United States, including the Northern District of New York, for sale or resale through intermediaries and/or established distribution channels.

8. Defendant Orbit Industries, Inc. ("Orbit") is a corporation organized under the laws of the State of California, having its principal place of business at 2100 S Figueroa Street, Los Angeles, California 90007. Upon information and belief, Orbit imports, distributes,

offers to sell, and/or sells ground fault circuit interrupters in the United States and the Northern District of New York under the brand name Orbit, including ground fault circuit interrupters that were manufactured by Shanghai ELE.

9. Defendant The Designer's Edge ("Designer's Edge") is a corporation organized under the laws of the State of Washington, having its principal place of business at 11730 NE 12th Street, Bellevue, Washington 98005. Upon information and belief, Designer's Edge imports, distributes, offers to sell, and/or sells ground fault circuit interrupters in the United States and the Northern District of New York under the brand name Designer's Edge, including ground fault circuit interrupters that were manufactured by Shanghai Meihao.

10. Defendant Quality Distributing LLC ("Quality Distributing") is a corporation organized under the laws of the State of Oregon, having its principal place of business at 2056 NW Aloclek Drive, Suite 325, Hillsboro, Oregon 97124. Upon information and belief, Quality Distributing imports, distributes, offers to sell, and/or sells ground fault circuit interrupters in the United States and the Northern District of New York under the brand name Designer's Edge, including ground fault circuit interrupters manufactured by Shanghai Meihao and resold by Designer's Edge.

11. Defendant Ingram Products, Inc. ("Ingram") is a corporation organized under the laws of the State of Florida, having its principal place of business at 8725 Youngerman Court, Suite 206, Jacksonville, Florida 32244. Upon information and belief, Ingram imports, distributes, offers to sell, and/or sells ground fault circuit interrupters in the United States and the Northern District of New York, including ground fault circuit interrupters that were manufactured by Wenzhou Trimone.

JURISDICTION AND VENUE

12. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a), and 35 U.S.C. § 281.

13. This Court has personal jurisdiction over Defendants because they import, manufacture, sell and/or offer to sell in the United States and in the Northern District of New York, either directly or through intermediaries and/or established distribution channels, ground fault circuit interrupters that infringe one of more of the P&S patents, and have thus: (1) transacted business within the state or contracted anywhere to supply infringing goods in this State and in this District; (2) committed tortious acts of infringement within this State and in this District; and/or (3) committed tortious acts of infringement without this State that cause injury within this State and this District either (i) while regularly doing business, engaging in a persistent course of conduct, or deriving substantial revenue from infringing goods sold to consumers in this State and in this District and/or (ii) while deriving substantial revenue from interstate or international commerce and while expecting that their infringing acts would have consequences within this State and this District.

14. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b) and (c), and 28 U.S.C. § 1400(b).

FACTUAL BACKGROUND

15. P&S is a leading provider of electrical devices for use in residential and commercial construction. P&S originally invented and pioneered the ground fault circuit interrupter receptacle in the 1970's. Ground fault circuit interrupters are intended to prevent electrocution in the event of a ground fault, which is an imbalance in the electrical current flowing in the electrical outlet. A ground fault circuit interrupter automatically detects the

ground fault and opens the circuit, thereby cutting off power to the outlet and preventing electrocution. Since its pioneering work in the 1970's, P&S has been at forefront of the development and improvement of ground fault circuit interrupters and is widely recognized as a leading provider of ground fault circuit interrupters for residential and commercial construction in the United States. P&S also provides a wide range of other electrical devices, such as switches, receptacles and face plates, used in residential and commercial construction in the United States.

16. P&S is the owner of all right, title and interest in the P&S patents, which comprise the following:

- (a) U.S. Patent No. 4,831,496 ("the '496 patent");
- (b) U.S. Patent No. 5,594,398 ("the '398 patent");
- (c) U.S. Patent No. 6,952,150 ("the '150 patent");
- (d) U.S. Patent No. 7,068,481 ("the '481 patent");
- (e) U.S. Patent No. RE 38,293 ("the '293 patent");
- (f) U.S. Patent No. 7,154,718 ("the '718 patent");
- (g) U.S. Patent No. 7,164,564 ("the '564 patent");
- (h) U.S. Patent No. 7,212,386 ("the '386 patent"); and
- (i) U.S. Patent No. 7,256,973 ("the '973 patent").

17. P&S takes reasonable measures to have all products made under the P&S patents marked in accordance with 35 U.S.C. § 287.

PATENT INFRINGEMENT

18. Defendants have been and are now directly infringing, contributorily infringing, and/or inducing infringement of at least one claim of one of the P&S patents, within

the meaning of 35 U.S.C. § 271(a)-(c) and (g), by making, using, importing, offering for sale, or selling ground fault circuit interrupters, either directly or through established distribution channels.

19. On information and belief, exemplary ground fault circuit interrupters that infringe at least one claim of one of the P&S patents include the following: (a) General Protecht ground fault circuit interrupters, an exemplary model of which is the “Sunlite E501 Ground Fault Circuit Interrupter”; (b) Shanghai ELE ground fault circuit interrupters, an exemplary model of which is the “Commercial Electric 15 AMP GFCI Receptacle”; (c) Shanghai Meihao, Designer’s Edge, and Quality Distributing ground fault circuit interrupters, an exemplary model of which is the “Designer’s Edge L-3200LED 15 AMP Rated Ground Fault Circuit Interrupter”; (d) Wenzhou Trimone and Ingram ground fault circuit interrupters, an exemplary model of which is the “3Grace GFCI Safety Outlet”; and (e) Orbit ground fault circuit interrupters, an exemplary model of which is the “Orbit Industries G15 15 AMP GFCI.”

20. Upon information and belief, General Protecht’s ground fault circuit interrupters infringe at least one claim of each of the ’496, ’398 and ’386 patents.

21. Upon information and belief, Shanghai ELE’s ground fault circuit interrupters infringe at least one claim of each of the ’496, ’398, ’293, ’564, ’386 and ’973 patents.

22. Upon information and belief, Shanghai Meihao’s ground fault circuit interrupters infringe at least one claim of each of the ’496, ’398, ’150, ’481, ’718 patent, and ’386 patents.

23. Upon information and belief, Wenzhou Trimone’s ground fault circuit interrupters infringe at least one claim each of the ’496, ’398, ’293, and ’386 patents.

24. Upon information and belief, Orbit's ground fault circuit interrupters infringe at least one claim of each of the '496, '293, '386 and '973 patents.

25. Upon information and belief, Designer's Edge's ground fault circuit interrupters infringe at least one claim of each of the '481, '150, '718, and '386 patents.

26. Upon information and belief, Quality Distributing's ground fault circuit interrupters infringe at least one claim of each of the '481, '718, and '386 patents.

27. Upon information and belief, Ingram's ground fault circuit interrupters infringe at least one claim of the '398, '293, and '386 patents.

28. Defendants have infringed the P&S patents and, upon information and belief, Defendants' direct, contributory and induced infringement has been and is willful and deliberate.

29. Defendants have profited from and will continue to profit from their infringing activities.

30. P&S has been damaged by Defendants' infringing activities and will continue to be irreparably injured unless those infringing activities are enjoined by this Court.

WHEREFORE, P&S prays that the Court:

(A) Enter judgment in favor of P&S and against all Defendants on all counts asserted in this Complaint.

(B) Enter judgment that Defendants have infringed U.S. Patent Nos. 4,831,496, 5,594,398, 6,952,150, 7,068,481, RE38,293, 7,154,718, 7,164,564, 7,212,386, and 7,256,973;

(C) Enter judgment pursuant to 35 U.S.C. § 283, enjoining Defendants, their subsidiaries, affiliates, divisions, officers, agents, servants, employees, directors, partners,